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7  
8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2011-448

13 **GLORIA ANNE CONTRERAS, a.k.a**  
14 **Gloria Anne Spence**  
504 Nebraska Ave.  
15 Long Beach, CA 90802

**A C C U S A T I O N**

16 **Registered Nurse License No. 561380**

Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
21 of Consumer Affairs.

22 2. On or about December 17, 1999, the Board of Registered Nursing (Board) issued  
23 Registered Nurse License Number 561380 to Gloria Anne Contreras, aka Gloria Anne Spence  
24 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to  
25 the charges brought herein and will expire on January 31, 2011, unless renewed.

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1 “(d) Violating or attempting to violate, indirectly or indirectly, or assisting in or  
2 abetting the violating of, or conspiring to violate any provision or term of this chapter or  
3 regulations adopted pursuant to it.

4 ....

5 “(f) Conviction of a felony or of any offense substantially related to the  
6 qualifications, functions and duties of a registered nurse, in which event the record of the  
7 conviction shall be conclusive evidence thereof.

8 7. Section 2764 provides, in pertinent part, that the expiration of a license shall not  
9 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
10 to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the  
11 Board may renew an expired license at any time within eight years after the expiration.

#### 12 **REGULATORY PROVISIONS**

13 7. California Code of Regulations, title 16, section 1444 states, in pertinent part:

14 “A conviction or act shall be considered to be substantially related to the  
15 qualifications, functions or duties of a registered nurse if to a substantial degree it evidences the  
16 present or potential unfitness of a registered nurse to practice in a manner consistent with the  
17 public healthy, safety, or welfare.”

#### 18 **COST RECOVERY**

19 8. Section 125.3 provides, in pertinent part, that the Board may request the  
20 administrative law judge to direct a licentiate found to have committed a violation or violations  
21 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
22 enforcement of the case.

#### 23 **FIRST CAUSE FOR DISCIPLINE**

##### 24 **(Conviction of Substantially Related Crimes)**

25 9. Respondent is subject to disciplinary action under sections 2761, subdivision (f) and  
26 490, in conjunction with California Code of Regulations, title 16, section 1444, in that  
27 Respondent has been convicted of crimes substantially related to the qualifications, functions or  
28 duties of a registered nurse, as follows:

1 a. On or about January 3, 2008, after pleading guilty, Respondent was convicted of  
2 one misdemeanor count of violating Penal Code section 484(a) [petty theft] in the criminal  
3 proceeding entitled *The People of the State of California v. Gloria Anne Contreras* (Superior Ct.  
4 Los Angeles County 2008, No. 7LG-7013). The Court sentenced Respondent to one day in Los  
5 Angeles County jail and placed her on three years probation, with terms and conditions. The  
6 underlying factual circumstances of the arrest pertain to shoplifting books and assorted items  
7 from Costco that were valued at \$109.70.

8 b. On or about January 23, 2009, after pleading nolo-contendere, Respondent was  
9 convicted of one misdemeanor count of violating Penal Code section 484(e) [petty theft] in the  
10 criminal proceeding entitled *The People of the State of California v. Gloria Ann Contreras aka*  
11 *Gloria Ann Spence* (Superior Ct. Los Angeles County), (2008 No. 8BF05116). The court  
12 sentenced Respondent to one day in jail, and placed Respondent on three years probation with  
13 terms and conditions. The underlying factual circumstances occurred on September 22, 2008,  
14 Respondent shoplifted merchandise from T. J. Max.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Unprofessional Conduct)**

17 10. Respondent has subjected her license to discipline pursuant to section 2761,  
18 subdivisions (a) and (d), in that on or about November 6, 2007 and September 22, 2008,  
19 Respondent committed acts which constituted unprofessional conduct. Complainant refers to,  
20 and by this reference incorporates, the allegations set forth above in paragraph 9, as though set  
21 forth fully.

22 **PRAYER**

23 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
24 and that following the hearing, the Board issue a decision:

25 1. Revoking or suspending Registered Nurse License No. 561380, issued to Gloria Anne  
26 Contreras aka Gloria Ann Spence.

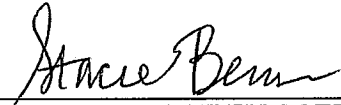
27 2. Ordering Gloria Anne Contreras aka Gloria Ann Spence to pay the Board the  
28 reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3.

3. Taking such other and further action as deemed necessary and proper.

DATED:

11/12/10

for



LOUISE R. BAILEY, M.Ed., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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